



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

1875 Century Boulevard  
Atlanta, Georgia 30345



IN REPLY REFER TO:  
FWS-2019-00597

March 29, 2019

Jimmy Tobias  
MuckRock News  
DEPT MR 70980  
411A Highland Ave  
Somerville, Massachusetts 02144-2516

Dear Mr. Tobias:

This is in response to your Freedom of Information Act (FOIA) request, dated March 26, 2019, for the following:

- Records within the custody of Region 4 of the U.S. Fish and Wildlife Service (“the Service”), including any of its field offices, that were created, sent, forwarded, re-sent, received, or reviewed by any officers, employees, agents, or consultants of the Service during the time period from January 20, 2017, until the date of search for records responsive to this request
- All records relating to any change, by instruction, guidance, memoranda, or otherwise, to policy, practice, or procedure governing the decision(s) to list, decline to list, de-list, or down-list any species or category of species or to defer or accelerate any such decision;
- All records relating to any change in the standards, criteria, or review process applicable to decision(s) to list, decline to list, de-list, or down-list any species or category of species, or to defer or accelerate any such decision;
- All records relating to any existing or proposed quotas, targets, goals, requirements, expectations, or aspirations for listing, declining to list, de-listing, or down-listing species, whether quantitative or qualitative in nature;
- All records relating to the selection of the 35 species identified in 83 Fed. Reg. 20092 or the 42 species identified in 83 Fed. Reg. 38320 for status reviews;
- All requests or instructions that staff identify listed species that could potentially be delisted or down-listed or candidate species for which listing could potentially be declined, and any records created in response to such requests or instruction; and
- Any and all listing petitions, de-listing petitions, status reviews, or other documents initiating a proposal to list, de-list, or down-list any species, that were forwarded to or reviewed by any of the following person(s), along with any associated responses, instructions, or annotations from the person(s) to whom they were forwarded or by whom they were reviewed:
  - Any person other than an employee of the Service in Region 4 or one of its field offices;
  - Any person who is an employee of the Service in Region 4 or one of its field offices and:
  - Has, at any time since January 20, 2017, been a political appointee (including without limitation any government employee that was appointed by the President, any government employee that was appointed by the Secretary or Administrator of a federal

- agency, any government employee that has held a Schedule C position, or any employee who has worked in the Executive Office of the President);
- Has, at any time since January 20, 2017, held a position listed in any version of the document “United States Government Policy and Supporting Positions,” otherwise known as the “Plum Book,” whether or not the person’s actual name appears in a version of the Plum Book;
- Whose hiring was coordinated with the Presidential Personnel Office; or
- Who, as a part of their job responsibilities with the Service, communicates with elected officials or their offices.

Your request has been assigned tracking number FWS-2019-00597. Our office received your request on March 26, 2019.

Although you have indicated that you are a reporter for the Guardian, please be specific regarding fees. According to eCFR 2.6 (a) Your request must explicitly state that you will pay all fees associated with processing the request, that you will pay all fees up to a specified amount, and/or that you are seeking a fee waiver.

I have included a link to the eCFR for your reference: <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=0fc3ab3499768eebc2e3691c8cf88dec&rgn=div5&view=text&node=43:1.1.1.1.2&idno=43#sp43.1.2.b>.

According to eCFR 2.6 (d) If you are seeking a fee waiver, your request must include a justification that addresses and meets the criteria in §§2.45 and 2.48 of this part. Failure to provide sufficient justification will result in a denial of the fee waiver request. If you are seeking a fee waiver, you may also indicate the amount you are willing to pay if the fee waiver is denied. This allows the bureau to process the request for records while it considers your fee waiver request. You may also inform us of why you believe your request meets one or more of the criteria for a discretionary fee waiver under §2.56 of this part.

Please provide this information to me by April 26, 2019 as our office cannot perfect your request until this information is received. If the clarification is not received by April 26, 2019, our office will presume that you are no longer interested and will close the file on your request. Please note that the 20-workday statutory time limit for the bureau to respond to the request is temporarily suspended until the above is received. Upon receipt of clarification, the time limit will resume. The above information can be mailed to ATTN: Regional FOIA Coordinator, 1875 Century Blvd, Suite 214, Atlanta, GA 30345 or emailed to [foiar4@fws.gov](mailto:foiar4@fws.gov). Please accept this as receipt of your request.

Sincerely,

3/29/2019

**X** Tiffany McClurkin

Tiffany McClurkin  
Region 4 FOIA Coordinator  
Signed by: TIFFANY MCCLURKIN